



CITY OF SAN JOSE, CALIFORNIA

200 East Santa Clara Street
Second Floor, City Hall Wing
San José, California 95113
Telephone (408) 535-1252
FAX (408) 292-6207

SAN JOSE ELECTIONS COMMISSION

Fred de Funiak, Chair
Jang Badhesha
Michael Smith
Leon Louie
Robert Shepard

SAN JOSE ELECTIONS COMMISSION MEETING MINUTES October 8, 2008

I CALL TO ORDER

The Members of the San José Elections Commission convened at 5:31 p.m. in Room W-242 of City Hall, 200 E. Santa Clara Street, San José, CA 95113.

PRESENT: COMMISSIONERS Louie, Shepard, Smith and de Funiak

ABSENT: COMMISSIONER None

STAFF PRESENT: Chief Deputy City Attorney Norm Sato
City Clerk Lee Price
Assistant City Clerk Dennis Hawkins
Deputy City Clerk Nora Pimentel

II APPROVAL OF MINUTES

A. Minutes of August 13, 2008 were approved.

III REPORT OF THE CHAIR

Chair de Funiak asked the City Clerk about the status of the recruitment to fill the vacancy on the Commission. City Clerk Lee Price informed the Commission that a special Council Meeting was scheduled for October 14, 2008 for the appointment of a new commissioner.

IV DISCUSSION ITEMS

- A. Discuss recommendations for implementation of a two business day notice requirement for lobbyists' campaign contributions and fundraising activities (Council Referral of September 13, 2006)

Documents Filed: Lobbyist Fundraising Activity for Q4-2005 through Q2-2008 submitted by the Office of the City Clerk

City Clerk Lee Price summarized information provided regarding fundraising activities of registered City lobbyists over the past seven quarters. Discussion followed regarding contribution thresholds and disclosures. Chief Deputy City Attorney Norm Sato reported out on the requirements of the City of Los Angeles stating that Los Angeles (L.A.) is the only city with a one-day reporting requirement for disclosure of fundraising activity, but added that L.A. will be dropping that requirement because they feel that filing a quarterly report is sufficient. Mr. Sato also noted that L.A. never adopted a contribution threshold for reporting but did adopt a contribution limit for lobbyists. Discussion followed. Commissioner Louie indicated an interest in determining how much additional work by the Clerk would be required to monitor the lobbyist ordinance if a two-day disclosure of fundraising activity requirement is imposed.

Motion: Upon motion by Commissioner Louie, seconded by Commissioner Shepard, and unanimously passed, the Commission directed the City Attorney and City Clerk to gather more information and come back at the next meeting.

- B Subcommittee update on the review of the Elections Commission Regulations (Resolution No. 72547) and make recommendations for revisions, if appropriate.

Document Filed: Draft changes to Resolution No. 72547

Commissioner Smith provided an overview of changes proposed to Resolution No. 72547 and stated that he met with Joan Cassman and Steve Miller with Hanson Bridgett Marcos Vlahos Rudy LLP regarding the timing of investigations.

Motion: Upon motion by Commissioner Smith, seconded by Commissioner Shepard, and unanimously passed, the Commission directed the City Attorney's Office to forward to the City Clerk the revised resolution with authority to make minor non-substantive changes, if needed.

V MEETING SCHEDULE AND AGENDA ITEMS

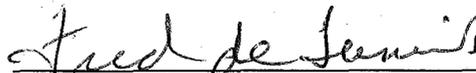
The meeting is scheduled for Wednesday, November 12, 2008, at 5:30 p.m. Commissioner Shepard, who will be out of town, will be attending via telephone conference call.

VI PUBLIC COMMENT

There were none.

VII ADJOURNMENT

The meeting adjourned at 6:24 p.m.


FRED DE FUNIAK, CHAIR

ATTEST:



LEE PRICE, MMC
CITY CLERK and SECRETARY TO THE COMMISSION